IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 20TH NOVEMBER 2007 / 29TH KARTHIKA 1929

Crl.Rev.Pet.No. 4145 of 2007()

C.C. NO. 1201 OF 2004 OF J.F.C.M. II(MOBILE) KOTTAYAM
CRA.NO. 688 OF 2006 OF THE SESSIONS COURT, KOTTAYAM

REVN. PETITIONER: REVISION PETITIONER/APPELLANT/ACCUSED

A.P.PRASAD, S/O.PARAMESWARA PANICKER,
ASSARIPARAMBIL HOUSE, MANJAMAKKAL,
VENNIMALA, PAYYAPADY P.O., KOTTAYAM.

BY ADV. SRI.M.P.MADHAVANKUTTY

RESPONDENTS: COMPLAINANT AND STATE

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1. SHAJAN.V.D., VALIYAPARAMBIL HOUSE,
THIRUVANCHOOR P.O., KOTTAYAM.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI.DILIP MOHAN

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 20/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.4145 of 2007

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Dated: 20-11-2007

ORDER

The accused in C.C. No. 1201 of 2004 on th**e file** of the J.F.C.M-II (Mobile), Kottayam for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 12216 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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